

C 10/583394

PATENT

AP3 Rec'd PCT/PTO 19 JUN 2005

Applicant: Southco, Inc.

Filed : December 20, 2004

Appln. No.: PCT/US04/042807

Title: ONE PART RECEPTACLE FOR A FASTENER

Atty. Dkt.: 343-04

International Bureau of WIPO
34 chemin des Colombettes
1211 Geneva 20
Switzerland

RESPONSE TO WRITTEN OPINION

Sir:

This is in response to the Written Opinion dated June 29, 2005 having a response due on October 19, 2005 which is twenty-two (22) months after the priority date. In accordance with the pertinent rules of PCT practice.

Claim 4 is objected to under PCT Rule 66.2(a)(iii) as being indefinite. The Written Opinion states that the phrase "inner spring leg" lacks sufficient antecedent basis. Applicant submits that the inner spring leg being referred to is the inner leg which is identified in claim 3.

The Written Opinion states that claims 1-5, 7, 9-11 and 15-17 lack novelty under PCT Article 33(2) over a U.S. Patent 2,566,988 to Swanson. Applicant respectfully submits that the Swanson reference does not disclose that the tabs shown in Fig. 1 provide a biasing force so as to provide a compliant means between the first

component or panel and the second component or panel as seen in Fig. 4 of applicant's application. Therefore, it is respectfully submitted that the claims meet the requirements in PCT Article 33(2) for novelty over Swanson.

The Written Opinion states that claims 1-7, 9-15 and 17 lack novelty under PCT Article 33(2) over a U.S. Patent to Kuffel. Although the Office Action states that the claims are rejected over U.S. Patent 2,556,988 to Kuffel applicants are responding on the basis that the examiner is referring to U.S. Patent 5,759,004 to Kuffel. In the Office Action it is stated that the one-part receptacle 10 has an inner spring leg 16 in the middle of two outer legs which are joined at the ends. Applicant respectfully submits that the Kuffel reference does not disclose the feature of claim 5 that the end portions of the two outer legs are joined. As can be seen in applicants Fig. 4 the two outer legs 6 are joined which forms what can be described as a C-shaped structure as described on page 6 of the specification. Therefore, it is respectfully submitted that the claims meet the requirements in PCT Article 33(2) for novelty over Kuffel.

The Written Opinion states that claims 6, 13 and 14 lack an inventive step under PCT Article 33(3) as being obvious over U.S. Patent 2,556,988 to Swanson in view of U.S. Patent 3,504,875 to Johnson. The Office Action states that Swanson fails to disclose two outer legs which are joined together. The Johnson reference is then cited for its alleged teaching of outer leg 36 being joined to another outer leg. It is submitted that the Johnson reference does not overcome the deficiencies of the Swanson reference with respect to the claimed invention. As stated above, Applicant respectfully submits that the Swanson reference does not disclose that the tabs shown

PATENT

Docket No. 203-04

in Fig. 1 provide a biasing force so as to provide a compliant means between the first component or panel and the second component or panel as seen in Fig. 4 of applicant's application. In support of applicant's assertion, it is noted that the examiner cited the Johnson reference for the purpose of its alleged teaching of outer legs which are joined at the ends. Therefore, it is respectfully submitted that the claims meet the requirements in PCT Article 33(3) for having an inventive step over the recited combination of Swanson in view of Johnson.

No fees are believed to be required. In the event that fees are required with respect to this communication, please charge any such fees, or credit any overpayment, to Paul & Paul deposit account number 16-0750.

Respectfully submitted,

Derek S. Jessen

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October 19, 2005

Order No. 3510 ✓